

**PUBLIC UTILITIES COMMISSION**

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

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Ratesetting

TO PARTIES OF RECORD IN RULEMAKING 15-03-010:

This is the proposed decision of Administrative Law Judge Cathleen A. Fogel. Until and unless the Commission hears the item and votes to approve it, the proposed decision has no legal effect. This item may be heard, at the earliest, at the Commission's April 7, 2022 Business Meeting. To confirm when the item will be heard, please see the Business Meeting agenda, which is posted on the Commission's website 10 days before each Business Meeting.

Parties to the proceeding may file comments on the proposed decision as provided in Rule 14.3 of the Commission's Rules of Practice and Procedure. Electronic copies of comments should also be sent to the Intervenor Compensation Program at **Icompcoordinator@cpuc.ca.gov**.

/s/ ANNE E. SIMON

Anne E. Simon

Chief Administrative Law Judge

AES:lil

Attachment

Decision **PROPOSED DECISION OF ALJ FOGEL** (Mailed 2/17/2022)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Identify Disadvantaged Communities in the San Joaquin Valley and Analyze Economically Feasible Options to Increase Access to Affordable Energy in those Disadvantaged Communities.

Rulemaking 15-03-010

**DECISION APPROVING INTERVENOR COMPENSATION FOR
CENTER ON RACE, POVERTY & THE ENVIRONMENT****Summary**

This decision approves \$157,803.00 in intervenor compensation (plus interest) for Center on Race, Poverty & the Environment, a 13.6 percent reduction of the \$182,557.20 claimed.

1. Background

On March 26, 2015, the Commission opened Rulemaking (R.) 15-03-010 to identify disadvantaged communities (DACs) in the San Joaquin Valley (SJV) and analyze economically feasible options to increase access to affordable energy in those communities. The Commission thus far has approved three decisions in this open proceeding. As part of Phase I of the proceeding, on May 11, 2017, the Commission adopted Decision (D.) 17-05-014, which identified 170 communities as eligible DACs under the definition provided in Public Utilities Code Section 783.5.2. Phase II of the proceeding was broken down into Track A and

Track B. On August 23, 2018, the Commission adopted D.18-08-019, which approved funding for a data gathering plan, as well as identifying nine more eligible SJV DACs, resolving Track B of Phase II. On December 13, 2018, the Commission adopted D.18-12-015, the Decision Approving San Joaquin Valley Disadvantaged Communities Pilot Projects. D.18-12-015 mostly resolved Track A of Phase II.

Center on Race, Poverty & the Environment (CRPE), an intervenor in this proceeding, filed a claim for intervenor compensation on February 19, 2019, for work associated with D.18-08-019 and D.18-12-015. In total, CRPE requests \$182,557.20 in funding, broken down into the following categories:

- A. Consideration and determination of community preference and coordination with community-based organizations to inform the Commission;
- B. Pilot Community outreach and engagement efforts to increase participation;
- C. Evaluation and feedback on pilot proposals;
- D. Pilot community costs and benefits issues;
- E. Pilot project administration, implementation, coordination;
- F. General participation issues; and
- G. Intervenor Compensation.

On March 25, 2019, the California Public Utilities Commission's Public Advocates Office (Cal Advocates) filed a response to the February 19, 2019 compensation claims filed by CRPE, the Leadership Counsel on Justice and Accountability (LCJA), and Self-Help Enterprises (SHE). CRPE, LCJA, and SHE filed comments and other documents collectively as "the Pilot Team" in this proceeding.

This decision resolves the claim filed by CRPE. As described in greater detail below, funding for all hours disallowed will be subtracted from the total

request of \$182,557.20. To explain our determination, we chose a more expanded discussion of the issues raised via a more traditional decision format, rather than the simplified standardized form normally used by the Commission for its intervenor compensation decisions.

2. Eligible Intervenors

The Intervenor Compensation Program, enacted in Public Utilities Code Sections 1801-1812, requires California jurisdictional utilities to pay the reasonable costs of an intervenor's participation if the intervenor makes a substantial contribution to the Commission's final decision. Section 1807 provides that the utility may adjust its rates to collect the amount awarded from its ratepayers.

All of the following procedures and criteria must be satisfied for an intervenor to obtain a compensation award:

- 1) The intervenor must satisfy certain procedural requirements, including the filing of a sufficient Notice of Intent to claim intervenor compensation within 30 days of the prehearing conference.
- 2) The intervenor must be a customer or a participant representing consumers, customers, or subscribers of a utility subject to our jurisdiction. (Section 1802(b).)
- 3) The intervenor must file and serve a request for compensation award within 60 days of our final order or decision. (Section 1804(c).)
- 4) The intervenor must demonstrate significant financial hardship. (Sections 1802(h); 1804(b)(1).)
- 5) The intervenor's presentation must have made a "substantial contribution" to the proceeding, through the adoption, in whole or in part, of the intervenor's contention or recommendations by a Commission order or decision. (Sections 1802(j), 1803(a).)

- 6) The claimed fees and costs are reasonable (Section 1801), necessary for and related to the substantial contribution (Section 1801.3(f)), comparable to the market rates (Section 1806) and productive. (Section 1801.3(b), (f).)

3. Response of Public Advocates Office

In its response, Cal Advocates asserts that the Pilot Team organizations, including CRPE, do not appear eligible for intervenor compensation because the organizations collectively advocated for compensated roles as part of this proceeding. Cal Advocates points to decisions where the Commission interpreted customer status under Section 1802(b) to mean that intervenors that advocate for their own financial interests are not eligible for compensation, regardless of whether ratepayers may also benefit.¹

In approving D.18-08-019, the Commission authorized a broad data gathering plan to collect information about demographics, energy usage, energy costs, housing conditions, environmental quality, and other issues facing residents in disadvantaged communities in the San Joaquin Valley.

Cal Advocates notes that, as part of the Pilot Team, CRPE advocated that the Commission designate SHE as a co-chair of the Data Plan Working Group created by D.18-08-019 and award SHE funding as part of the budget approved for the Data Gathering Plan.²

An Assigned Commissioner Ruling (ACR), issued on October 3, 2018, proposed that each community participating in a pilot project have “Community

¹ *Response of the Public Advocates Office to Intervenor Requests for Compensation*, R.15-03-010, March 15, 2019 at 6.

² *Id* at 7-8.

Energy Navigators” (CENs).³ The CENs, according to the ACR, would be community members who would “help educate community members about existing energy program options” about the pilot projects. As noted in the ACR, this proposal was based on a recommendation advanced by Pacific Gas and Electric Company (PG&E).⁴

Public Advocates asserts that the Pilot Team advocated that the Commission should grant it (including SHE, LCJA, and CRPE) a key role in the implementation of pilot projects. Specifically, in opening comments on the ACR, the Pilot Team supported allocating funding for CENs.⁵ In reply comments, the Pilot Team advocated that the Commission should designate it as a paid “Project Facilitator” for all pilots and provide funding for this role. The Pilot Team also advocated that the Commission combine the Project Facilitator role with the CEN concept and provide a budget of as much as \$100,000 per community for these combined roles.⁶

Cal Advocates also raised several specific line items in CRPE’s compensation claim as not being documented accurately (*e.g.*, hours for an *ex parte* meeting in the claim are more than the hours in the *ex parte* notice).

4. Discussion and Analysis

We award CRPE compensation, but not for the entire claim. In reaching this decision, we attempt to balance the following three principles of the Commission’s Intervenor Compensation Program:

³ *Assigned Commissioner’s Ruling Proposing Phase II Pilot Projects in Twelve Communities in the San Joaquin Valley and Noticing All-Party Meeting*, October 3, 2018, at 44.

⁴ *Ibid.* Cal Advocate’s Response at 9 erroneously states that the CENs concept was based on a proposal by SHE and LCJA.

⁵ *Id* at 9.

⁶ *Id* at 10.

- The statutory mandate to compensate organizations that represent residential customers in proceedings before the Commission and contribute in a meaningful way;
- The Commission's goal of encouraging the participation of constituencies that have not participated previously in Commission proceedings, and
- The expectations the Commission has outlined for intervenors filing compensation claims, including:
 - An intervenor funded by ratepayers should pursue single-mindedly the interest of the utility customers that it purportedly represents;⁷ and
 - An intervenor's advocacy should not place it in the position of being more of a contractor or consultant than a customer.⁸

We applied the above principles to the following facts:

- CRPE satisfied all the procedural requirements necessary to make its request for compensation in this proceeding (*e.g.*, filing a Notice of Intent and claim in a timely manner);
- CRPE made a substantive contribution to the proceeding, including identifying the specific communities that would benefit from the pilots, what those pilot projects would entail and cost, and made considerable outreach to disadvantaged communities in the San Joaquin Valley, ensuring their participation;

⁷ See D.00-04-026 at 12. The Commission denied three intervenor compensation claims from Utility Design, Inc. (UDI), determining that UDI was acting more like a PG&E competitor, instead of representing PG&E residential customers.

⁸ See D.07-06-023 at 8. "The record since developed in this proceeding and other Commission decisions indicates, however, that [SF Power Small Customer Aggregation Pilot Program] SCAPP is now an existing program that SFCP implements under contract to PG&E. D.06-11-049 authorized PG&E to pay [San Francisco Community Power] SFCP an additional \$650,000 for program implementation. SFCP benefited materially and directly from this portion of D.06-11-049. SFCP here acted in its own self-interest when it advocated for additional contract funding."

- The Pilot Team, of which CRPE was a member, advocated that SHE be given compensated roles implementing the orders in this proceeding; and
- SHE has been awarded two contracts, one as part of the data gathering plan (\$297,800)⁹ and the other as part of the Community Energy Navigator Program (\$1.5 million).¹⁰

Finally, we consider the context in which these comments were submitted, including the workload this proceeding created for parties involved in it. In a normal proceeding, an intervenor may be asked to provide testimony, evidentiary exhibits and comments. This proceeding was much broader in scope, including numerous comment cycles and other filings in response to several ACRs, proposals submitted by the utilities, and proposed decisions, preparing prehearing or preworkshop statements and caseload management statements, along with participation in several workshops and public participation hearings.

At the center of the concerns raised by Cal Advocates are three filings of several produced by CRPE and/or the Pilot Team:

- *Pilot Team Opening Comments on Proposed Decision Adopting Data Gathering Plan in San Joaquin Valley*, August 13, 2018;
- *Pilot Team Opening Comments on Assigned Commissioner's Ruling Proposing Phase II Pilot Projects in Twelve Communities in the San Joaquin Valley*, October 22, 2018; and

⁹ In D.18-08-019, the Commission directed PG&E to include funding in its budget for the data gathering plan for SHE's role performing community outreach related to the data gathering effort. PG&E submitted Advice Letter 4031-G/5409-E, which the Commission approved in Resolution G-3550, and allocated \$297,800 to SHE for involvement in the data gathering effort.

¹⁰ On September 16, 2019, the Commission's Energy Division notified the proceeding's Service List that it awarded the contract for the San Joaquin Valley Disadvantaged Communities - Community Energy Navigator Program Manager to Self Help Enterprises. D.18-12-015 authorized a \$1.5 million contract.

- *Pilot Team Reply Comments on Assigned Commissioner's Ruling Proposing Phase II Pilot Projects in Twelve Communities in the San Joaquin Valley, October 25, 2018.*

In the August 2018 comments, the Pilot Team asserted that “[s]hould the Commission agree to add SHE as a co-chair of the Working Group, it is reasonable for the currently proposed \$3 million budget for data collection to in part compensate SHE for such continued efforts.”¹¹

In the October 2018 opening comments, the Pilot Team advocated for additional funding for the CEN Program¹² and expressed its interest in continued work in the community on these issues.¹³

In the October 2018 reply comments, the Pilot Team advocated for a compensated role as part of the proceeding and advocated itself as the entity best suited for outreach in the pilot communities, such as the following statements:

[T]he Pilot Team requests that the Commission designate and authorize funding for the Pilot Team to play two important roles during this phase: “Project Facilitator” and “Pilot Project Oversight Working Group Member.”

. . . The Project Facilitator will also assist families with determining their household’s choices where applicable, provide on-going education, answer residents’ questions, and assist with conflict resolution. This overlaps with the roles of the Community Energy Navigator (“CEN”). The Pilot Team therefore requests that the Commission

¹¹ *Pilot Team Opening Comments on Proposed Decision Adopting Data Gathering Plan in San Joaquin Valley, August 13, 2018 at 7.*

¹² *Id* at 13. “The Pilot Team strongly supports this idea. We note, however, that this investment of \$100,000 be *in addition* to the per community budget identified in the ACR to ensure effective implementation of both the pilot projects and the CEN. In several communities, a \$100,000 cut out from the budget would have significant impacts and threaten the viability of the pilot to reach eligible customers.”

¹³ *Id* at 17. “We recommend that the community may request a Pilot Team member work in conjunction with the identified administrator to administer the program in each community.”

combine these two roles for the Pilot Team members to lead. We acknowledge GRID's request to be the CEN in the communities in which they are authorized as the administrator; however, the Pilot Team is better situated in terms of relationships with communities, language and cultural competence to lead this role and can certainly integrate GRID's, and other administrators' technical expertise. In addition, different types of projects require different CEN tasks, and budgets may vary per community. The earmark of \$100,000 may well be sufficient to account for fluctuating budgets, but the Commission should account for these differences that could require increased funding.¹⁴

The advocacy efforts contained in these specific filings raise doubts over whether CRPE single-mindedly pursued the interest of utility customers. If these statements were the Pilot Team's primary focus, or if these filings were the majority of the intervenor's filings in this proceeding, instead of three of many filings, the Commission likely would deny the entire claim, finding that because CRPE advocated for funding as part of the proceeding (and received it), CRPE is not eligible for intervenor compensation because it was representing the organization's interests, not residential customers.

However, when reviewing the many other filings prepared by CRPE and the Pilot Team, none of which advocate for compensated roles, nor can be seen as overtly attempting to influence the proceeding in a manner to ensure it would receive a contract, we are left with a different impression, one in which CRPE and the Pilot Team made a substantial contribution to this proceeding,

¹⁴ *Pilot Team Reply Comments on Assigned Commissioner's Ruling Proposing Phase II Pilot Projects in Twelve Communities in the San Joaquin Valley*, October 25, 2018 at 3.

successfully involving communities that normally do not interact with the Commission. That work merits at least some intervenor compensation.

A second issue to examine is the CEN Program contract awarded to SHE. The Commission has denied intervenor compensation to entities that receive funding from utilities through grants, contracts and other sources.¹⁵ However, we note that this contract was awarded to SHE well after CRPE filed its claim. Thus, other than the advocacy to receive this contract, an obvious conflict of interest is not apparent, though the Commission could find one in future intervenor compensation claims.

To achieve the balance discussed at the beginning of this section, we award CRPE a significant portion of its claim, but reduce the amount of funding in some of the categories listed in the background section to reflect disallowing the work that raises questions over CRPE's representation of itself or residential customers. In some instances, the disallowance is cut and dry, while in other instances we make a general judgment. Given that CRPE and the Pilot Team clearly advocated for a compensated role as part of the data gathering plan and that most of that work appears to be contained in Section E (Pilot project administration, implementation, and coordination issues), we disallow the work in that section, roughly 8.65% percent of the total claim.

Additionally, we note that the documents in question appear in significant portions of Section B (Pilot Community outreach and engagement efforts to increase participation). The work in this section totals roughly fifteen percent of

¹⁵ For example, *see* D.18-11-10, in which the Commission denied intervenor compensation to the Clean Coalition. A significant reason for the denial included that Clean Coalition's typical projects during the four years prior to its claim included work either funded through grants or compensated by renewable energy market participants, including PG&E, SCE and SDG&E, among others.

CRPE's compensation claim. We find it would be inappropriate to disallow the entire section, which includes a significant amount of work in other areas. Thus, here we choose to disallow the hours charged to this section in September and October of 2018, roughly when the filings in question were prepared. Finally, as described more in Appendix A, we adjusted the hours associated with travel. With the adjustments, discounts and disallowances, CRPE will be compensated \$157,803.00, a 13.6 percent reduction of the \$182,557.20 it claimed.

5. Comments on Proposed Decision

The proposed decision of Administrative Law Judge (ALJ) Fogel in this matter was mailed to the parties in accordance with Section 311 of the Public Utilities Code and comments were allowed under Rule 14.3 of the Commission's Rules of Practice and Procedure. Comments were filed on _____ by _____.

6. Assignment of Proceeding

Alice Reynolds is the assigned Commissioner and Cathleen A. Fogel is the assigned ALJ in this proceeding.

Findings of Fact

1. CRPE has made a substantial contribution to D.18-08-009 and D.18-12-015.
2. CRPE, through its part in the Pilot Team, advocated for compensation as part of this proceeding.
3. The requested hourly rates for CRPE's representatives, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
4. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
5. The total of amount reasonable compensation is \$157,803.00.

Conclusions of Law

1. The Claim, with any adjustment set forth above, satisfies all requirements of Pub. Util. Code §§ 1801-1812.

O R D E R**IT IS ORDERED** that:

1. Center on Race, Poverty & the Environment shall be awarded \$157,803.00.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, Southern California Edison Company, and Southern California Gas Company shall pay the Center on Race, Poverty & the Environment their respective shares of the award, based on their California-jurisdictional electric and gas revenues for the 2018 calendar year, to reflect the year in which the proceeding was primarily litigated. If such data is unavailable, the most recent electric and gas revenue data shall be used. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning on May 5, 2019, the 75th day after the filing of the Center on Race, Poverty & the Environment's request, and continuing until full payment is made.
3. The comment period for today's decision is not waived.

This order is effective today.

Dated _____, at San Francisco, California.

APPENDIX A

APPENDIX A**Specific Claim:**

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Attorney: Roger Lin	2017	83.4	\$311	D.16-09-029, ALJ-345, Comment 1	\$ 25,937.40	78.2 [1]	\$310 [6]	\$24,242.00
Attorney: Roger Lin	2018	332.7	\$318	D.16-09-029, ALJ-352, Comment 1	\$105,798.60	272.8 [1][2][4]	\$320 [6]	\$87,296.00
Advocate: Refugio Valencia	2018		\$180	D.18-10-051, Comment 2	\$5,850.00	32.5 [3]	\$185 [8]	\$6,012.50
Clinical Law Students: Luna Martinez Gomez	2018	59.8	\$100	D.11-03-025; D.04-04-12, Comment 3	\$5,980.00	57.3 [1][10]	\$100 [9]	\$5,730.00
John Hannon	2018	86.8	\$100	D.11-03-025; D.04-04-12, Comment 3	\$8,680.00	78.4 [5]	\$100 [9]	\$7,840.00
Craig Spencer	2018	102.1	\$100	D.11-03-025; D.04-04-12, Comment 3	\$10,210.00	83.5 [1][10]	\$100 [9]	\$8,350.00
Charisa Gowen-Takahashi	2018	97.4	\$100	D.11-03-025; D.04-04-12, Comment 3	\$9,740.00	97.4	\$100 [9]	\$9,740.00
Subtotal: \$172,196.00						Subtotal: \$149,210.50		

OTHER FEES								
Describe here what OTHER HOURLY FEES you are Claiming (paralegal, travel **, etc.):								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate\$	Total \$
Roger Lin Travel	2017	18.3	\$155	Half of hourly rate	\$2,836.50	15.1 [7]	\$155	\$2,340.50
Roger Lin Travel	2018	24.5	\$159	Half of hourly rate	\$3,895.50	17.5 [7]	\$160	\$2,800.00
Luna Martinez Gomez Travel	2018	2	\$50	Half of hourly rate	\$100.00	0 [7]	\$50	\$0.00
Craig Spencer Travel	2018	8.4	\$50	Half of hourly rate	\$420.00	6.6 [7]	\$50	\$330.00
Charisa Gowen-Takahashi Travel	2018	6.6	\$50	Half of hourly rate	\$330.00	6.6	\$50	\$330.00
Subtotal: \$7,582.00						Subtotal: \$5,800.50		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Roger Lin	2017	4.8	\$155.50	Half of hourly rate	\$744.00	4.8	\$155	\$744.00
Roger Lin	2018	12.8	\$159.00	Half of hourly rate	\$2,035.20	12.8	\$160	\$2,048.00
Subtotal: \$2,779.20						Subtotal: \$2,792.00		
TOTAL REQUEST: \$182,557.20						TOTAL AWARD: \$157,803.00		
*We remind all intervenors that Commission staff may audit the records and books of the intervenors to the extent necessary to verify the basis for the award (§1804(d)). Intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenor’s records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs								

for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.

****Travel and Reasonable Claim preparation time are typically compensated at ½ of preparer's normal hourly rate**

CPUC Comments, Disallowances, and Adjustments

Item	Reason
[1] Hours disallowed for Issue E	As discussed in Section 4 of this decision, all hours working on Issue E were disallowed, including: <ul style="list-style-type: none"> • 5.2 hours for Lin in 2017 • 38.7 hours for Lin in 2018 • 18.6 hours for Spencer in 2018 • 2.5 hours for Gomez in 2018
[2] Hours disallowed for Issue B	As discussed in Section 4 of this decision, all hours working on Issue B in September and October 2018 were disallowed, including: <ul style="list-style-type: none"> • 20.1 hours for Lin
[3] Refugio Valencia Hours	CRPE's claim summary table did not specify the hours for Refugio Valencia (Valencia) but included a requested dollar amount. Utilizing the total and hourly rate listed, we calculate that they are requesting 32.5 hours which is consistent with underlying timesheets.
[4] Roger Lin 2018 Hours	March 8, 2018, excessive hours claimed for ex parte meeting. CRPE's timesheets claim 1.2 hours for the ex parte meeting while the ex parte notice filed in the proceeding shows a 1-hour meeting. We therefore disallow 0.2 hours. On November 1, 2018, Lin claims 8.5 hours for "Travel to/from (6.1) and participate in All Party Meeting/public participation hearing (2.4)." Public Participation Hearings (PPHs) provide members of the public, who are not parties to the proceeding, an opportunity to address their comments and concerns to the Commission. As such, the Commission does not compensate Intervenors for PPH related hours (<i>See</i> D.04-09-050 at 12). We therefore disallow 0.9 hours for the time extended beyond the 1.5 hour all party meeting.
[5] John Hannon 2018 Hours	We disallow the below hours for Hannon as he was working for a party and should not have been allowed to make public comment. The travel time and attendance at the Commission meeting was duplicative of Lin and didn't contribute to the Commission's decision-making. <ul style="list-style-type: none"> • 11/8/2018 - Traveled from Berkeley to Fresno to attend CPUC voting meeting; prepared public comment (3.5 hours) • 11/8/2018 - Attended CPUC voting meeting; delivered public comment (1.4 hours)

	<ul style="list-style-type: none"> 11/8/2018 - Traveled from Fresno to Berkeley; attended phone meeting between Greenlining, Pilot Team and Sierra Club re: progress of proceeding (3.5 hours)
[6] Roger Lin Rate	<p>D.16-09-029 authorized a 2016 rate of \$305 for Roger Lin (Lin). We apply the 2017 COLA of 2.14%, per Resolution ALJ-345, for a 2017 rate of \$310.</p> <p>For Lin's 2018 rate, we apply the 2018 COLA of 2.30%, per Resolution ALJ-352, for a rate of \$320.</p>
[7] Travel Hours	<p>Requested travel hours did not always meet travel requirements, so reductions were made accordingly:</p> <p>CRPE claims 4.6 hours for Roger Lin's travel to and from Sacramento on July 23- 24, 2018. CRPE is based in Oakland and the Law Clinic is in Berkeley, approximately 80 miles from Sacramento.</p> <p>CRPE claims 2.0 for Gomez "driving" on November 14, 2018 but the location and purpose is unspecified.</p> <p>CRPE claims travel within the Bay Area for:</p> <ul style="list-style-type: none"> Lin- including on August 9, 2017; September 12, 2017; October 10, 2017; November 14 and 17, 2017; October 3, 2018; November 13 and 15, 2018 totaling 5.6 hours reduction; Spencer- November 15, 2018 totaling 1.8 hours reduction.
[8] Refugio Valencia Rate	<p>We note that D.18-10-051 does not authorize a rate for Valencia but we believe it is cited by CRPE to reflect the rate awarded a community advocate with comparable experience.</p> <p>Valencia has worked as a community advocate for more than fifteen years and currently serves as a Community Organizer for CRPE.</p> <p>In the summary table CRPE listed the rate for Valencia as \$180/hour, but in the justification for Valencia's rate CRPE requests \$185/hour. We find the rate of \$185 for 2018 to be reasonable.</p>
[9] Clinical Law Students Rates	<p>CRPE requests a rate of \$100 for work completed by Law Students. The Commission has previously awarded Law Students the rate of \$100 per hour. See D.11-03-025, D.13-10-014, and D.13-12-022. The Commission finds this reasonable and approves the requested rate.</p>
[10] Incorrect Dates in Timesheets	<p>The Spencer and Gomez timesheets include detailed time entries, but both list the year as 2019, which is clearly incorrect given that the claim was filed in early 2019. We overlook this error and proceed under the assumption that these timesheets are associated with 2018 activities.</p>

(END OF APPENDIX A)